

**AMENDMENTS TO THE CLAIMS**

1. (Previously Presented) A tissue retractor and guide device, comprising:  
an elongate member having a proximal portion and a substantially planar distal portion adapted to retract tissue, wherein a distal-most surface of the elongate member is substantially concave to match the contour of a vertebral body; and  
a guide member coupled to the distal portion of the elongate member such that the substantially planar distal portion of the elongate member extends a distance beyond a distal-most end of the guide member to form an extension portion, the guide member having at least one lumen extending therethrough for receiving a tool, and at least one mating element formed thereon and adapted to mate to a spinal implant.
2. (Original) The device of claim 1, wherein the guide member has a width that is equal to or less than a width of at least a portion of the distal portion of the elongate member such that the distal portion of the elongate member is effective to retract tissue disposed adjacent to the guide member.
3. (Original) The device of claim 1, wherein the guide member includes two lumens extending therethrough and positioned at an angle with respect to one another.
4. (Previously Presented) The device of claim 1, wherein the extension portion is adapted to align the at least one lumen in the guide member with a spinal implant mated thereto.
5. (Cancelled).
6. (Cancelled).
7. (Previously Presented) The device of claim 1, wherein the at least one mating element is selected from the group consisting of a pin, spike, groove, cleat, hole, hook, threaded hole, threaded pin, and combinations thereof.
8. (Previously Presented) The device of claim 1, wherein the at least one mating element has a

shape that is adapted to prevent rotation between the guide member and a spinal implant when the guide member is mated to the spinal implant.

9. (Original) The device of claim 1, wherein the guide member comprises a first barrel having a lumen extending therethrough, and a second barrel having a lumen extending therethrough.

10. (Original) The device of claim 9, wherein the first and second barrels are positioned at an angle with respect to one another.

11. (Original) The device of claim 9, wherein the first and second barrels lie in a plane substantially parallel to at least a portion of a front surface of the distal portion of the elongate member.

12. (Original) The device of claim 9, wherein at least one of the first and second barrels of the guide member has an adjustable trajectory such that the barrel can pivot about a point on a longitudinal axis thereof.

13. (Original) The device of claim 9, wherein at least one of the first and second barrels is removably mated to the guide member.

14. (Original) The device of claim 1, wherein the proximal portion of the elongate member is positioned at an angle with respect to the distal portion of the elongate member.

15. (Original) The device of claim 14, wherein the angle is in the range of about  $110^{\circ}$  to  $160^{\circ}$ .

16. (Original) The device of claim 1, wherein the proximal portion includes a clamp member adapted to mate to an external support.

17. (Original) The device of claim 1, wherein the proximal portion includes a post adapted to attach to a clamp member on an external support.

18. (Currently Amended) A tissue retractor and guide kit, comprising:

first and second tissue retractor and guide devices, each of the first and second tissue retractor and guide devices having

a guide member having first and second barrels that define first and second lumens for receiving a tool, and

an elongate member having a proximal, handle portion, and a distal, tissue-retracting portion that extends a distance beyond a distal-most end of the guide member to form an extension portion,

wherein at least one of the guide member and the elongate member is adapted to couple to a spinal implant and the extension portion is adapted to rest against an outer edge of the spinal implant to align the guide member with the spinal implant; and

a cross member removably connecting the first and second tissue retractor and guide devices.

19. (Original) The kit of claim 18, wherein the cross member comprises a substantially rectangular housing.

20. (Original) The kit of claim 18, wherein the cross member comprises an elongate rod having opposed ends, each end being adapted to a removably mate to a tissue retractor and guide device.

21. (Currently Amended) A spinal fixation kit, comprising:

a spinal fixation plate having

a superior portion with at least one bore formed therein for receiving a fixation device effective to mate the superior portion to a first vertebrae, and

an inferior portion with at least one bore formed therein for receiving a fixation device effective to mate the inferior portion to a second, adjacent vertebrae; and

at least one tissue retractor and guide device having

an elongate member with a proximal, handle portion and a distal portion adapted to retract tissue when the at least one tissue retractor and guide device is mated to the spinal fixation plate, and

a guide member disposed on the distal portion of the elongate member at a location

proximal to a distal end of the elongate member such that the distal end of the elongate member extends a distance beyond a distal-most end of the guide member to form an extension portion that is configured to rest against an outer edge of the spinal fixation plate to align the guide member with the spinal fixation plate, the guide member having first and second barrels that define first and second lumens extending therethrough for receiving a tool, the guide member ~~being adapted to mate to~~ having at least one mating element located between the first and second barrels that engages at least a portion of the spinal fixation plate such that each lumen in the guide member is aligned with a bore formed in the spinal fixation plate.

22. (Cancelled).

23. (Cancelled).

24. (Currently Amended) The kit of claim [[23]]21, wherein the at least one mating element has a shape that is adapted to prevent rotation of the guide member with respect to the spinal fixation plate when the guide member is mated to the spinal fixation plate.

25. (Previously Presented) The kit of claim 21, wherein the superior and inferior portions of the spinal fixation plate are slidably movable with respect to each other between a retracted position and an extended position.

26. (Original) The kit of claim 25, further comprising a cross member effective to mate two tissue retractor guide devices to one another, and to maintain the spinal fixation plate in the extended position when the devices are mated to the superior and inferior portions of the spinal fixation plate.